



United States of America  
FEDERAL TRADE COMMISSION  
Southwest Region

1999 Bryan St., Ste. 2150  
Dallas, Texas 75201

June 3, 2020

**WARNING LETTER**

VIA EMAIL TO [info@joywellnesspartners.com](mailto:info@joywellnesspartners.com)

Joy Wellness Partners  
838 W G Street Suite 201  
San Diego, California 92101

Re: Unsubstantiated Claims for Coronavirus Prevention or Treatment

To Whom It May Concern,

This is to advise you that FTC staff reviewed your website at <https://joywellnesspartners.com/> on May 24, 2020. We have determined that you are unlawfully advertising that certain products treat or prevent Coronavirus Disease 2019 (COVID-19).

Some examples of Coronavirus treatment or prevention claims on your website include:

- In marketing materials accessible on your website by selecting “BLOG” from the navigation menu and clicking on “CORONAVIRUS (COVID-19),” you claim:
  - Under the heading “Hormones, Peptides, & Immunity”:
    - You state that “Keeping your immune system running optimally with balanced hormones and peptides helps your body prevent and fight illness, including viruses like COVID-19. . . . Book now [<https://intakeq.com/booking/8hkwjk>]”
    - You post a video titled “IMMUNITY, BIOTE, & CORONAVIRUS” featuring Carol Joy Bender, NP. In the video at approximately 31:55, Bender states, “More specifically, I wanted to touch on the things that we’re all concerned about the coronavirus times: what can I do to boost my immune system to keep me healthy? BioTE has already been doing this for us... We have a lot of patients that are already taking their iodine with selenium and zinc. The zinc is one of the mainstay treatments that

many of you have read about... zinc helps to reduce the RNA replication inside the cells, when the coronavirus gets in. If you have zinc in your cells, then it's very hard for the virus to replicate and keep on making an impact in your body. When it's used in conjunction with quercetin, it's more of a preventative therapy, but there are doctors in the ICU using zinc along with hydroxychloroquine to treat their active COVID patients and finding it to be very effective...." As she makes these statements, a graphic display depicts a bottle of BioTE IODINE+ product and states in part: "**IODINE WITH SELENIUM AND ZINC[.] Iodine+**: Zinc (in IODINE+) has been shown to reduce the severity of **respiratory illness**. In Coronavirus, Zinc prevents viral replication in cells, making it a mainstay in Covid times. [P]reventative when used with quercetin[.] [T]reatment when used with hydroxychloroquine."

- In the video at approximately 34:13, Bender states, "Vitamin D levels have been really shown in Coronavirus times and also in all types of research on viruses to be one of the distinguishing factors of whether you're going to get really sick from this viral disease or whether you're going to survive and thrive and overcome this disease." As she makes these statements, a graphic is displayed that depicts bottles of BioTE ADK supplements and which states in part, "**VITAMIN D3, WITH VITAMIN K2 & VITAMIN A[.] ADK**: Vitamin D is **essential in maintaining immune responses**. With a deficiency in vitamin D, you have an **increased susceptibility to infection**. Vitamin D is also anti-viral. **In 2017, a large prospective trial showed taking Vitamin D can reduce the odds of developing respiratory infections by approximately 42%.**"
- In the video at approximately 35:54, Bender states, "probiotics are one of the best ways to up-regulate your immune system and help you to have the best response to... fight against viruses." As she makes this statement, a graphic is displayed that depicts packages of BioTE Multi-Strain Probiotic 20B and BioTE Bacillus Coagulans, and which states in part: "Probiotics, in the BioTE Method, can help improve a person's health and protection against coronavirus by up-regulating their immune function. There are clinical trials that have shown probiotics reducing acute respiratory infections – many of which are caused by viruses."
- In the video at approximately 37:59, Bender states "Thymosin Alpha-1 is prescribed to improve the performance of your immune system." As she makes this statement, a graphic is displayed which states in part: "**Thymosin Alpha-1** is prescribed to optimize the performance of your immune health and improve general wellness by preventing infections such as the common cold or the flu...**What can Thymosin Alpha-1 help with?** Fight viral infection like Covid-19[.] Treat viral infections[.]"
- In the video at approximately 40:20, Bender summarizes her coronavirus prevention and treatment recommendations. As she discusses this topic, a

graphic is displayed which includes the following as part of a “PREVENTION ROUTINE”: “Daily Supplements: a. 6x 500mg (3 g) Quercetin[;] b. 1x Iodine+ (*or 1 immunity IV/wk*)[;] c. 2x 1,000 mg (2 g) Vitamin C (*or 1 Immunity IV/wk*)[;] d. ADK10/day (*or 1 Vit D shot/wk*)[.] Weekly Immunity IV = High Dose IV[,] Vitamin C + Zinc + B Vitamins.”

- In marketing materials titled “Zinc and your immune system; what the grocery store hoarders don’t know,” you claim that “Zinc is vital for protecting your bodies against viruses. Simply put, your immune system uses zinc specifically when repairing damaged cells and growing new ones. When you are exposed to a new virus, your body must essentially grow a new ‘army’ of attack cells specifically tailored to beating that virus to a pulp. No zinc, no new army. Make sense?”
- In marketing materials titled “Virus prevention and cure readily available?”, you:
  - Claim that “[m]edical orthodoxy obsessively focuses on searching for a vaccine and/or drug for coronavirus COVID-19). While they are looking for what would be fabulously profitable approaches, we have with vitamin C an existing, plausible, clinically demonstrated method to treat what coronavirus patients die from: severe acute respiratory syndrome, or pneumonia. And it is available right now”; and
  - Claim that “Vitamin C is very promising for prevention, and especially important to treat dying patients when there is no better treatment. Over 2,000 people have died of the COIV-19 outbreak and yet I have not seen or heard large dose intravenous vitamin C being used in any of the cases. The current sole focus on vaccine and specific antiviral drugs for epidemics is misplaced.” (internal quotation marks omitted)
- In marketing materials titled “Help Flatten the Curve of the Coronavirus Pandemic,” you market a variety of products claiming to treat or prevent COVID-19, including:
  - **“COMPLETE BIOTE HORMONE BALANCING PACKAGE (REG. \$2000) SAVE \$800 Support the Immune System With Hormone Optimization** Keeping hormone levels optimized can help keep your immune system running normally. Optimized hormones support many crucial functions of the body. Everything from how we sleep to how our bodies respond to foreign invaders can continue to function correctly when our hormones are optimized—giving us a better chance to remain healthy no matter what comes our way! . . . Thyroid optimization is an integral part of the BioTE Method. Optimizing our active thyroid levels improves our neutrophils and lymphocytes, including our natural killer cells, which help destroy the viral particles.... **Support a Healthy Immune Response**[.] Once our innate immunity has attacked a virus, we need to

consider what happens next as our adaptive immunity is called into action. T3 is an essential thyroid hormone in promoting the maturation of our adaptive immune cells. These cells, once mature, promote pro-inflammatory cytokines, including IL-6, IL-12, and TGFβ1. This adaptive response favors the development of cytotoxic T cells, which further modulates our immune system's response to targeting and killing viruses.”

- **“Support your immune system by utilizing these BioTE recommended nutraceuticals in stock at JWP – shipping available!**

**BioTE® IODINE+** Zinc—one of the ingredients in IODINE+—has been shown to reduce the severity of respiratory illness. Zinc may improve the integrity of respiratory cells by protecting them from inflammation and infection.

**BioTE® ADK 5 &10** Vitamin D is essential in maintaining the innate and adaptive immune responses. (ncbi.nlm.nih.gov) Deficiency in vitamin D increases susceptibility to infection. Although the mechanism is not clearly established, vitamin D is known to have anti-viral effects. In 2017, a large prospective trial showed taking vitamin D can reduce the odds of developing respiratory infections by approximately 42%....

**BioTE® PROBIOTICS** Our gastrointestinal tract is important to our overall immune system health. Probiotics are recommended in the BioTE Method to help improve health by up-regulating immune function. There are clinical trials that have shown probiotics reducing acute respiratory infections—many of which are caused by viruses.”

- In marketing materials titled “6 Tips for avoiding the Coronavirus,” you claim that:

- **“Vitamin C.** Our Cold & Flu IV Infusion [<https://joywellnesspartners.com/the-iv-lounge-san-diego/>] provides a high dose of Vitamin C. Vitamin C is not only a broad antiviral, but it is also an anti-oxidant, so it will reduce the effect a virus like coronavirus can have on your body.”
- **“Infrared Sauna.** “Infrared saunas use a temperature range 120-140 degrees F. These temperatures will kill coronaviruses. Thus, if an infected person with coronavirus went into your sauna, you could kill the virus by the heat. **Right now, at JWP! Detox and revive with an IR Sauna Session for only \$20! (Save \$15).**”

- In marketing materials titled “Quercetin: Clinical trials begin... high doses of Quercetin for antiviral activity,” you state that a doctor “believes we have nothing to lose by using it [Quercetin] now. In theory, it works as an antiviral by diminishing the entry of the virus into the cell.”

It is unlawful under the FTC Act, 15 U.S.C. § 41 *et seq.*, to advertise that a product can prevent, treat, or cure human disease unless you possess competent and reliable scientific evidence, including, when appropriate, well-controlled human clinical studies, substantiating that the claims are true at the time they are made. For COVID-19, no such study is currently known to exist for the products identified above. Thus, any Coronavirus-related prevention or treatment claims regarding such products are not supported by competent and reliable scientific evidence. You must immediately cease making all such claims.

You are also advised to review all other claims for your products and immediately cease making claims that are not supported by competent and reliable scientific evidence.

Within 48 hours, please send a message to James E. Elliott via electronic mail at [jelliott@ftc.gov](mailto:jelliott@ftc.gov) describing the specific actions you have taken to address the FTC’s concerns. If you have any questions regarding compliance with the FTC Act, please contact Zachary A. Keller at [zkeller@ftc.gov](mailto:zkeller@ftc.gov).

Very truly yours,

Dama J. Brown  
Regional Director  
Southwest Region